



1251 Sixth Ave
21st Floor
New York, NY 10020

Elizabeth A. McNamara

Tel. 212.603.6437
Fax 212.489.8340
lizmcnamara@dwt.com

June 2, 2021

Via ECF

The Honorable Kenneth M. Karas
United States District Court
300 Quarropas Street, Chambers 533
White Plains, NY 10601-4150

Re: *Standing v. ByteDance Inc. and Bytedance E-Commerce, Inc., et al.*, No. 7:21-cv-04033-KMK (S.D.N.Y. 2021)

Dear Judge Karas:

We represent Defendant ByteDance Inc. (“ByteDance” or “Defendant”) in the above-referenced action. (Plaintiff has also named Bytedance E-Commerce Inc., which has no affiliation with ByteDance or the TikTok platform. This firm does not represent Bytedance E-Commerce Inc.).

We write pursuant to Your Honor’s Individual Practices to request an extension of time to file a response to Plaintiff Beverly Standing’s First Amended Complaint (ECF No. 9) (hereinafter, “FAC”). Plaintiff filed the FAC on May 11, 2021; and Defendant was served on May 14, 2021. Under Federal Rule of Civil Procedure 12(a)(1)(A)(i), Defendant’s response to the FAC is due on June 4, 2021.¹

Defendant requires additional time to investigate the underlying facts alleged in the FAC and prepare its response. Accordingly, Defendant requests an extension until July 7, 2021 to file its response to the FAC. Plaintiff’s counsel consents to this extension, and there have been no prior requests for extensions in this case.

Respectfully submitted,

/s/ Elizabeth A. McNamara

¹ It appears that Plaintiff mistakenly filed summonses under 28 U.S.C. § 1608, which pertains to service upon a foreign state. Under 28 U.S.C. § 1608, the defendant has 60 days after service to file a response to the complaint. However, because Defendant is not a foreign state, Defendant assumes the summons was an error and that Defendant is required to respond to the FAC within 21 days.